



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Tyler Smith, Esq.  
Tyler Smith & Associates, P.C.  
181 N. Grant St., Ste. 212  
Canby, OR 97013

FEB 23 2016

RE: MUR 6817  
If He Votes Like That In Salem Imagine What He  
Will Do In Congress, *et al.*

Dear Mr. Smith:

On February 18, 2016, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of a violation of 52 U.S.C. § 30104(g), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003); Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Allison T. Steinle".

Allison T. Steinle  
Attorney

Enclosure  
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

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In the matter of )  
 ) MUR 6817  
If He Votes Like That In Salem )  
Imagine What He Will Do In Congress )  
and Carol Russell in her Official Capacity )  
as Treasurer )

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized Complaint by Frank Dixon. The Commission found reason to believe that If He Votes Like That In Salem Imagine What He Will Do In Congress and Carol Russell in her Official Capacity as Treasurer ("Respondents" or "Committee") violated 52 U.S.C. § 30104(g) (formerly 2 U.S.C. § 434(g)) of the Federal Election Campaign Act of 1971, as amended, (the "Act").

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i) (formerly 2 U.S.C. § 437g(a)(4)(A)(i)).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

OFFICE OF GENERAL  
COUNSEL

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IV. The pertinent facts and law in this matter are as follows:

1. The Committee is an independent expenditure-only committee that is not affiliated with any candidate or elected official. Carol Russell is the Committee's treasurer of record.

2. A political committee that makes independent expenditures "aggregating \$10,000 or more at any time up to and including the 20<sup>th</sup> day before the date of an election shall file a report describing the expenditures within 48 hours." 52 U.S.C. § 30104(g)(2)(A) (formerly 2 U.S.C. § 434(g)(2)(A)). The political committee must ensure that the Commission receives such reports by the end of the second day "following the date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated." 11 C.F.R. § 104.4(b)(2).

3. Respondents reported making \$51,637 in total independent expenditures for "radio ads" opposing Jason Conger in the 2014 Senate primary in Oregon on April 1, 2014, on the Committee's 2014 12-Day Pre-Primary Report. The Committee did not file a 48-Hour Independent Expenditure Report for these expenditures.

4. On August 25, 2014, the Commission sent a Request for Additional Information ("RFAI") to the Committee referencing its 2014 12-Day Pre-Primary Report and the Committee's failure to file the required 48-Hour Report for the independent expenditures. On September 29, 2014, the Committee filed a 24-Hour Report for the April 1, 2014, independent expenditures referenced in the RFAI.

V. Respondents violated 52 U.S.C. § 30104(g)(2)(A) (formerly 2 U.S.C. § 434(g)(2)(A)) when the Committee failed to file the required 48-Hour Independent

Expenditure Report for the \$51,637 in independent expenditures reported on the Committee's  
2014 12-Day Pre-Primary Report.

VI. 1. Respondents will pay a civil penalty to the Commission in the amount of Four  
Thousand One Hundred and Twenty Five Dollars (\$4,125), pursuant to 52 U.S.C.  
§ 30109(a)(5)(A) (formerly 2 U.S.C. § 437g(a)(5)(A)).

2. Respondents will cease and desist from committing violations of 52 U.S.C.  
§ 30104(g)(2)(A) (formerly 2 U.S.C. § 434(g)(2)(A)).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C.  
§ 30109(a)(1) (formerly 2 U.S.C. § 437g(a)(1)) concerning the matters at issue herein or on its  
own motion, may review compliance with this agreement. If the Commission believes that this  
agreement or any requirement thereof has been violated, it may institute a civil action for relief  
in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have  
executed the same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement  
becomes effective to comply with and implement the requirements contained in this agreement  
and to so notify the Commission.

MUR 6817 (If He Votes Like That In Salem Imagine What He Will Do In Congress, *et al.*)  
Conciliation Agreement

X. This conciliation agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.

FOR THE COMMISSION:

BY: Kath Guith  
Kathleen Guith  
Acting Associate General Counsel  
for Enforcement

2-19-16  
Date

FOR THE RESPONDENTS:

Carol Russell  
Carol Russell  
Treasurer

2-2-2016  
Date